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WEST VALLEY CITY

ORDINANCE NO. 11-11

Draft Date: 02/10/2011
Date Adopted: 03/08/2011
Date Effective: 03/17/2011

**AN ORDINANCE AMENDING SECTION 7-1-103, 7-6-1002
AND 7-6-1103 OF TITLE 7 OF THE WEST VALLEY CITY
MUNICIPAL CODE TO ALLOW RECEPTION CENTERS
AS AN ACCESSORY USE TO A NURSERY/GARDEN
BUSINESS.**

WHEREAS, receptions as an accessory use in garden centers are becoming a popular trend; and

WHEREAS, West Valley City ordinances currently do not allow reception center uses with garden centers; and

WHEREAS, an application was made to the Planning Commission for a zone text change to allow reception center uses as an accessory use to a nursery or garden center; and

WHEREAS, the Planning Commission reviewed the application and recommends a text change that will allow reception centers as an accessory use to a garden center; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to amend Sections 7-1-103, 7-6-1002 and 7-6-1103 of the West Valley City Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as follows:

Section 1. Repealer. Any other provision of the West Valley City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Sections 7-1-103, 7-6-1002 and 7-6-1103 of the West Valley City Municipal Code are hereby amended to read as follows:

7-1-103. DEFINITIONS.

(93) "Garden Center" means a place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery

products and stock, potting soil, hardware, power equipment and machinery, hoses, rakes, shovels and other garden variety tools and utensils.

Renumber remaining definitions in Section 7-1-103

7-6-1002. SCHEDULE OF USES.

The following schedule indicates by the symbol "P" the uses that shall be permitted in each Commercial Zone, and by the symbol "C," the uses which require a conditional use permit in accordance with the provisions of Chapter 7 of this Title. No other permitted or conditional uses are allowed, except as provided in Section 7-2-115. The symbol "X" means that the use is not allowed.

	Use	C-1	C-2	C-3
1.	Automobile sales and service	X	C	C
2.	Bank	P	P	P
3.	Business record storage within an enclosed building	X	C	C
4.	Car Title Loan Business	X	C	C
5.	Caretaker dwelling incidental to and above or behind a principal commercial use	C	C	C
6.	Check Cashing / Deferred Deposit Loan	X	C	C
7.	Commercial indoor recreation	C	P	P
8.	Commercial outdoor recreation	X	C	P
9.	Community use	P	P	P
10.	Commercial condominium	C	C	C
11.	Concert Venue, Concert Hall, Dance Hall	X	C	C
12.	Convenience store	C	C	P
13.	Day care; preschool	P	P	P
14.	Fast food establishment	X	C	P
15.	Fast food establishment which is located under the roof of a shopping center containing at least six other retail uses	C	P	P
16.	Greenhouse; garden supply	C	P	P
17.	Hardware store; home improvement center	X	C	P
18.	Hospital	X	C	P
19.	Hotel; motel; extended stay hotel	X	C	C
20.	Light manufacturing conducted within an enclosed building	X	X	C
21.	Medical clinic; doctor's offices	P	P	P
22.	Neighborhood grocery	C	P	P
23.	Neighborhood service establishment	P	P	P
24.	Nursing home; convalescent center	C	P	P
25.	Off-premises beer retailer licensed outlet	P	P	P
26.	Office/warehouse -less than 50% interior storage; no outside storage or display permitted	X	C	P
27.	Office/warehouse -more than 50% interior storage; outside storage only as approved by Planning Commission	X	X	C
28.	Parking lots	P	P	P
29.	Parking structure	X	C	P
30.	Pawnshop	X	C	C

	Use	C-1	C-2	C-3
31.	Permanent Cosmetic Establishment	C	P	P
32.	Equity Club, Fraternal Club, Social Club	X	C	C
33.	Professional office	P	P	P
34.	Public utility installation (except lines and rights-of-way)	C	C	C
35.	Reception center	X	C	C
36.	Reception Center as an accessory use to a garden center	C	C	C
3637.	Recreational facility beer retailer	X	C	P
3738.	Residential uses in conjunction with a Regional Shopping Mall	X	C	C
3839.	a. Restaurant Liquor Retailer, Dining club	X	C	C
	b. Brew Restaurant, Brew Restaurant and Liquor Retailer, Small Brewer	X	C	C
	c. Manufacturer of Alcoholic Products	X	X	X
3940.	Restaurant, Restaurant on-premises beer retailer	C	P	P
4041.	Retail department or specialty store with no outside storage or display	C	P	P
4142.	Sale and/or storage of gasoline, diesel, and other fuels	C	C	C
4243.	Sale and/or lease of mobile homes, travel trailers, campers, motorcycles, and other recreation vehicles	X	C	P
4344.	Seasonal fruit/produce vendor stand as temporary use only	P	P	P
4445.	"Self-Storage" facility with a maximum of 100' of frontage along any road	X	C	C
4546.	Shopping center	C	C	C
4647.	Signs (see Title 11, Sign Ordinance)	P	P	P
4748.	State store or package agency	X	C	C
4849.	Supermarket	C	C	P
4950.	Tattoo establishment	X	X	C
5051.	Temporary uses as allowed by Section 7-2-115	P	P	P
5152.	Indoor or Outdoor Public Recreation	X	C	C
5253.	Uses customarily accessory to a listed permitted use	P	P	P
5354.	Uses customarily accessory to a listed conditional use	P	P	P
5455.	Veterinary hospital/indoor kennel	C	C	P

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57 7-6-1103. CONDITIONAL USES.

58 The following are conditional uses in the Manufacturing Zone; no other conditional uses are
59 allowed except as provided in Section 7-2-115:

- 60 (1) Automobile sales and service, vehicle recycling facilities, towing and impound yards, outside
61 storage facilities
- 62 (2) Tavern
- 63 (3) Detention facilities; jails
- 64 (4) Hotels; motels

- (5) Industrial condominiums/PUDs
(6) Kennels
(7) Chemicals, explosives and fuels manufacturing and/or storage, such as firewood, coal, etc.
(8) Residential uses accessory to a conference facility or community use and on the same lot with the primary use
(9) Truck transfer companies
(10) Sand and gravel excavation, processing or storage as a primary use or accessory to brick, concrete or asphalt products
(11) Uses which have open storage of over 50 percent of a lot or one acre, whichever is greater, that is used for the sale, open storage or open stockpiling of material, material intended for recycling, raw materials awaiting processing, or equipment storage
(12) State stores
(13) Private nonprofit clubs
(14) Sanitary landfills
(15) Agricultural industry
(16) Manufacturer of Alcoholic Products
(17) Check Cashing, Deferred Deposit Loan
(18) Car Title Loan Business
(19) Shopping Center
(20) Any development that is 10 acres or greater in size
(21) Any development that shares a common boundary with existing or proposed residential uses
(22) Reception Center, Dance Hall, Concert Venue, Concert Hall, Indoor or Outdoor Public Recreation.
(23) Reception Center as an accessory use to a garden center

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this 8th day of March, 2011.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER